



Journal of the Senate

Number 12

Wednesday, April 25, 1979

The Senate was called to order by Senator Carlucci at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3. Senator Trask represented the Committee on Rules and Calendar and Senator Henderson represented the Minority Party.

INTRODUCTION

By Senator Anderson—

SB 1244—A bill to be entitled An act relating to licenses issued by the Game and Fresh Water Fish Commission; amending s. 372.65, Florida Statutes, 1978 Supplement; requiring a license for engaging in the business of importing for sale or selling any exotic or nonindigenous fish; establishing separate classes of licenses for wholesale and retail exotic fish dealers; providing a fee for such licenses; providing that a wholesale exotic fish dealer's license serve in lieu of a fish or frog farm license; providing that a commercial fishing license shall serve in lieu of a sport fishing license; requiring that all boats engaged in commercial fishing have at least one licensed commercial fisherman on board at all times; prohibiting any dealer from buying freshwater fish or frogs from any person not properly licensed; deleting provision requiring any person licensed under such section to have a method of catch preservation meeting certain requirements; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Jenne—

SB 1245—A bill to be entitled An act relating to international banking corporations and agencies; adding s. 659.67(6)(f), Florida Statutes; prescribing the scope of operation of an international banking corporation which has been licensed as an international banking agency; amending s. 659.67(7)(a), Florida Statutes, and adding a new paragraph (d) to said subsection; providing for reserves or securities and placement of reserves or securities in financial institutions in this state; creating s. 659.68, Florida Statutes; prohibiting foreign banks operating under the International Banking Act of 1978 from establishing a state or federal branch in this state; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senator Johnston—

SB 1246—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 402.17, Florida Statutes; changing terms "patient" and "inmate" to "client"; deleting provision authorizing the department to delegate certain powers and duties to division directors; requiring the department to perform certain acts relative to claims for care and maintenance of clients of the department and to money or property received for such clients; conforming language; amending s. 402.18, Florida Statutes; providing that moneys held in certain funds by any institution or district in the department shall be deposited in a Welfare Trust Fund or in a place which the department shall designate; providing for use of such moneys; transferring certain functions previously authorized of divisions or division directors to the department; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Henderson—

SB 1247—A bill to be entitled An act relating to the Florida Uniform Traffic Control Law; creating s. 316.0746, Florida Statutes; prohibiting the use of any traffic control device at any place where the public is invited unless such device conforms to certain requirements; authorizing continued use of any nonconforming device in use prior to January 1, 1980; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senator Stuart—

SB 1248—A bill to be entitled An act relating to corrections; amending s. 944.24(2), Florida Statutes; providing that a child born in a correctional institution and his welfare shall be within the jurisdiction of the circuit court; providing that the Department of Corrections shall provide facilities for such mothers and children; deleting the time limit on retaining such a child in the facility; providing that this act shall be administered within existing resources; providing an effective date.

—was read the first time by title and referred to the Committees on Corrections, Probation and Parole; Judiciary-Civil and Ways and Means.

By Senator Skinner—

SB 1249—A bill to be entitled An act relating to maximum vehicle weights; amending s. 316.535(4), Florida Statutes, renumbering and amending subsection (5) of said section, and adding new subsections (5) and (6) to said section; prescribing maximum gross weights for vehicles traveling on interstate highways; prescribing maximum gross weights for vehicles traveling on other highways; requiring the Department of Transportation to adopt rules; requiring the Department of Highway Safety and Motor Vehicles to enforce the law and such rules; requiring the Department of Highway Safety and Motor Vehicles to publish and distribute certain information; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Senator Hill—

SB 1250—A bill to be entitled An act relating to ad valorem taxation; amending ss. 193.116(1), 193.122, 193.461(2), 193.507(4), 194.032, 194.042(1), (2), 194.181(2), 195.096(2), (4), 196.151, 196.193(1)(c), (5), 196.194, 196.195(1), (4), 196.199(5), 197.0173, and 200.011(2), (6), Florida Statutes, and ss. 194.011(3), 197.0166(2), 200.065(5), Florida Statutes, 1978 Supplement; creating s. 194.012, Florida Statutes; abolishing the property appraisal adjustment boards; providing for the appointment of property appraisal hearing officers to hear cases formerly heard by the property appraisal adjustment board; prescribing the qualifications of such hearing officers; providing for proceedings before such hearing officers; prescribing the duties of such hearing officers; requiring a petition challenging the property appraiser's assessments to be filed with the clerk of the circuit court; providing that the expense of hearings before, and the compensation of, hearing officers shall be borne by the county; providing procedure for a property owner to challenge assessment value; permitting any taxpayer to file a petition contesting his assessment or the granting of a tax exemption to any other taxpayer; repealing s. 194.015, Florida Statutes, which provides for the creation of a property

appraisal adjustment board in each county; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs; Ways and Means Subcommittee D and the Committee on Ways and Means.

By Senator Spicola—

SB 1251—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.727(7), Florida Statutes, 1978 Supplement; providing that uninsured motorist coverage shall not include damages for pain and suffering except in specific cases; amending s. 627.732(1), Florida Statutes, 1978 Supplement; redefining "motor vehicle"; amending s. 627.736(1), Florida Statutes, 1978 Supplement; providing for limitation of \$5,000 in personal injury protection coverage; amending s. 627.737(2), Florida Statutes, 1978 Supplement; providing for additional limitations on rights to damages for pain and suffering in tort actions arising out of use of a motor vehicle; amending s. 627.7372(1), Florida Statutes, 1978 Supplement; requiring the court to admit into evidence collateral sources paid to claimant prior to the trial and the amount paid by the claimant to secure such benefits; amending s. 627.739(1), Florida Statutes, 1978 Supplement; limiting specified deductibles on personal injury protection coverage to \$4,000; repealing s. 627.7405, Florida Statutes, 1978 Supplement, as created by chapter 78-374, Laws of Florida, relating to subrogation; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Dunn—

SB 1252—A bill to be entitled An act relating to governmental reorganization; creating ss. 14.25, 14.26, Florida Statutes; establishing the Executive Office of the Governor and the Citizens Assistance Office; amending ss. 20.18(2), (5)(a), 20.31, Florida Statutes, 1978 Supplement; reorganizing the Department of Community Affairs and the Department of Administration; creating ss. 23.0151, 110.301, 110.305, 110.310, Florida Statutes; transferring certain functions and agencies of the Departments of Administration and Community Affairs to the Executive Office of the Governor; transferring certain functions and agencies from the Department of Administration to the Department of Community Affairs; transferring certain agencies from the Department of Community Affairs to the Department of Administration; creating the Personnel and Retirement Commission in the Department of Administration and prescribing its composition, procedures, powers, and duties; creating s. 25.382, Florida Statutes; providing for the administration of the state courts system; amending ss. 11.148(2), 11.44(2), 13.231, 13.9981(5), (6), 13.9985(1), 14.057(1), 14.058, 20.24(5), 23.0113(2), 23.0115, 23.012, 23.014(2), 23.015, 23.016, 23.0161, 23.017, 23.0191, 23.022(2), 23.029, 23.137, 27.33(1), (2), 27.55, 30.49(4), (5), 103.071, 112.044(4), 112.051(2), (4), 120.63(2)(a), 121.061(3), 125.0104(3)(i), 145.021(1), 153.95(1), 163.03(1)(b), 163.3164(18), 163.7055, 195.087(1)(a), 196.32, 215.25, 215.32(2)(b), (c), 215.44(4), 215.515(2), 216.011(1)(b)(cc)(2), 216.023, 216.031(4), (5), 216.043(2), 216.044, 216.051, 216.081, 216.091(1), 216.102(2)(c), (3), 216.111, 216.121, 216.141(1), 216.151, 216.181, 216.182, 216.192(1), (3), 216.201, 216.212(1), 216.231(1), 216.262(1)(a), (b), (d), (2), 216.271(1), (2), 216.275, 216.292(2)(b), (3), (4), 216.301(1), (2), (3)(a), 216.311(1), 216.345(4), 229.514(2), 230.767(1)(b), 233.255(3), 235.41(3), 235.42(3), 236.022(1), 240.082, 240.095(8), 240.191(4), 241.63(1), 272.05, 273.055(1), 334.2105, 340.35, 350.0614(2), (3), 350.78(4), (5), 373.036(1), (10), 377.602(2), (3), 377.603(1), 377.608, 377.701(1)-(3), 380.11, 388.271(1), 402.17(3), 403.504(7), (8)(c), 403.507(1), 403.508(4)(a), 413.26(3), 413.27(3), 443.14(2), 450.181(2), 450.191, 590.02(1)(e), 943.36(1), (2), 945.16(2), 959.011(5), Florida Statutes, and amending ss. 13.9965(1), 13.9966(1), 18.101(1), (2), 20.04(6), 20.171(3), 20.19(8)(c), 20.315(13)(c), 23.0112, 23.0114(1)-(3), 23.019(1), (3), 23.151(1), 23.152(3)(d), 23.154(1), 110.051(2)(j), 112.061(4)(b), 121.0515(3), 121.23, 215.195(1), (4), 215.37(6), 216.359, 235.40(2), 236.081(2), 255.257(1), 295.11, 339.08(3)(c), 377.703(2)(i), (3)(g), (k), 378.011(1), 409.085, 409.2671(8), 741.01(2), 943.25(3), (7), (8), 943.405(1), (2), Florida Statutes, 1978 Supplement, to conform to the reorganization provisions of the act; repealing ss. 110.081, 121.22, 121.24, Florida Statutes, and ss. 110.041, 110.061, Florida Statutes, as amended, relating to the creation and operation of the Career

Service Commission and the State Retirement Commission; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations; Ways and Means Subcommittee E and the Committee on Ways and Means.

By Senators Dunn, Johnston, MacKay, Hair, Carlucci, Stuart, D. Childers, W. D. Childers, Vogt, Chamberlin, Gordon, Poole, Anderson, Steinberg, Thomas and Myers—

SB 1253—A bill to be entitled An act relating to combinations restricting trade or commerce; creating ss. 542.15-542.36, 542.38, Florida Statutes; providing definitions; prohibiting anticompetitive conduct; providing exemptions; providing penalties; providing civil remedies; specifying liability of certain persons and business entities; providing for judgment in favor of state as prima facie evidence; providing statute of limitations; providing venue; providing enforcement authority; providing civil investigative demand; providing duties of public officers; providing rules of construction; renumbering s. 542.12, Florida Statutes; repealing ss. 542.01-542.11, Florida Statutes, relating to combinations restricting trade or commerce; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce, Judiciary-Civil and Ways and Means.

By Senators Vogt, Johnston, Skinner, Gorman, W. D. Childers and Dunn—

SB 1254—A bill to be entitled An act relating to the Department of Legal Affairs; creating s. 16.53, Florida Statutes; creating the Legal Affairs' Revolving Trust Fund for the purpose of funding the investigation, prosecution, and enforcement of the provisions of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act or state or federal antitrust laws; providing sources of moneys for the fund; providing for the allocation of recovered funds; defining "moneys recovered"; providing for moneys remaining in the fund at the end of the fiscal year; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Criminal and Ways and Means.

By Senator Gordon—

SB 1255—A bill to be entitled An act relating to hospices; providing definitions; providing for administration by the Department of Health and Rehabilitative Services; providing rulemaking authority; requiring a license for any agency or person to engage in the offering of hospice care; providing for application for licensure; prescribing fees; providing for conditional license or permit; providing for renewal of licensure; providing grounds for license denial, suspension, and revocation; providing general requirements for hospice programs; prescribing components of hospice care; providing requirements for the administration and management of hospice programs; requiring records to be maintained; providing for inspection and investigation; providing for confidentiality of records; prohibiting specified activities; providing penalties; requiring applicable rules and standards to be promulgated by a date certain; amending s. 381.493(2), (3)(d), (e), Florida Statutes, and adding paragraph (o) to this subsection; adding hospice to the Health Facilities and Health Services Planning Act; providing a definition of hospice under the certificate of need statute; amending s. 381.494(1)(b), (3)(a), and (5)(c), Florida Statutes; including hospice in those facilities and services requiring a certificate of need; describing the criteria for determining need for hospice services; amending s. 381.495(1), Florida Statutes; adding hospices to those facilities and programs which are required to file for a certificate of need; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Dunn—

SB 1256—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 671.105(2)(e), Florida Statutes, relating to the application of the code; amending s. 671.201(9) and (37), Florida Statutes, redefining the terms "buyer in ordinary course of business" and "security interest"; amending s.

672.107(1) and (2), Florida Statutes, including oil and gas within the term minerals as goods; amending s. 672.702(3), Florida Statutes, eliminating lien creditors with respect to seller's remedies under certain circumstances; amending s. 675-116(2), Florida Statutes, clarifying language relating to transfers and assignments; amending s. 679.102(1), Florida Statutes, relating to the policy and subject matter of the secured transactions provisions of the Uniform Commercial Code; amending s. 679.103, Florida Statutes, relating to the perfection of security interests in multiple state transactions; amending s. 679.104(1), (5), (6), (7), (8), and (11), Florida Statutes, and adding subsection (12) thereto, relating to transactions excluded from the secured transactions provisions of the Uniform Commercial Code; amending s. 679.105(1), (2), and (3), Florida Statutes, redefining various terms and adding the terms "deposit account," "encumbrance," "mortgage," advances made "pursuant to a commitment," and "transmitting utility"; amending s. 679-106, Florida Statutes, redefining the terms "account" and "general intangibles" and eliminating the definition of the term "contract right"; creating s. 679.114, Florida Statutes, relating to consignment; amending s. 679.203, Florida Statutes, combining the concepts of attachment and enforceability of security interests; amending s. 679.204, Florida Statutes, relating to after-acquired property and future advances; amending s. 679-205, Florida Statutes, relating to the use or disposition of collateral without accounting; amending s. 679.301, Florida Statutes, relating to persons who take priority over unperfected security interests and to the rights of lien creditors; amending s. 679.302(1)(c) and (e), (3), and (4), Florida Statutes, and adding paragraph (g) to subsection (1) of said section, relating to the use of filing to perfect security interests; amending s. 679.304(1) and (5)(a), Florida Statutes, relating to the perfection of certain security interests; amending s. 679.305, Florida Statutes, deleting the term "instruments" from a list of collateral in which a security interest may be perfected by possession, without filing; amending s. 679.306(1), (2), (3), and (4), Florida Statutes, relating to proceeds and the secured party's rights on the disposition of collateral; amending s. 679.307(2), Florida Statutes, relating to the protection of a buyer of goods under the code; amending s. 679.308, Florida Statutes, relating to the purchase of chattel paper and instruments; amending s. 679.312(1), (3), (4), (5), and (6), Florida Statutes, 1978 Supplement, and adding subsection (7) to said section, relating to priorities among conflicting security interests in collateral; amending s. 679.318(2), (3), and (4), Florida Statutes, relating to defenses against an assignee; amending s. 679.401, Florida Statutes, relating to filing to perfect a security interest; amending s. 679.402, Florida Statutes, relating to financing statements; amending s. 679.403(2), (3), (4), and (5), Florida Statutes, and adding subsections (6) and (7) thereto, relating to what constitutes filing, the duration of filing, the effect of lapsed filing and the duties of the filing officer; amending s. 679.404, Florida Statutes, relating to termination statements; amending s. 679.405(1) and (2), Florida Statutes, relating to assignments of security interests; amending s. 679.406, Florida Statutes, relating to the release of collateral; amending s. 679.407(1), Florida Statutes, relating to duties of filing officers; creating s. 679.408, Florida Statutes, relating to filings by consignors or lessors; amending s. 679.501(3), Florida Statutes, relating to default; amending s. 679.502(2), Florida Statutes, relating to the collection rights of secured parties; amending s. 679.504(1)(a), (2), and (3), Florida Statutes, relating to the secured party's right to dispose of collateral after default and the effect of disposition; amending s. 679.505(2), Florida Statutes, relating to compulsory disposition of collateral; amending s. 680.101, Florida Statutes, relating to the effective date and transition period under the Uniform Commercial Code; creating s. 680.108, Florida Statutes, relating to transition provisions on place of filing; creating s. 680.109, Florida Statutes, relating to required refilings; creating s. 680.110, Florida Statutes, providing for transition provisions with respect to priorities; creating s. 680.111, Florida Statutes, providing a presumption; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Judiciary-Civil.

By Senator Vogt—

SB 1257—A bill to be entitled An act relating to spouse abuse; amending s. 409.602, Florida Statutes, 1978 Supplement; providing definitions; amending s. 409.603, Florida Statutes, 1978 Supplement; directing the Department of Health and Rehabilitative Services to establish health, safety, and minimum program requirement standards for certifying spouse abuse centers to receive state funds; directing the department to

receive and process applications for state funding of centers; directing the department to prescribe by rule the standards for certification of a center; amending s. 409.605, Florida Statutes, 1978 Supplement; establishing requirements which a center must meet in order to be certified and receive funding; providing for out-patient services for victims of spouse abuse; amending s. 409.606, Florida Statutes, 1978 Supplement; providing that information received by a center or the department relating to spouse abuse shall be confidential and exempt from the provisions of the public records act; amending s. 409.607, Florida Statutes, 1978 Supplement; requiring law enforcement officers to notify persons subject to spouse abuse of the availability of center services; amending s. 741.01(2), Florida Statutes, 1978 Supplement; directing county court judges and clerks of circuit courts to collect an additional \$5 fee upon receipt of an application for the issuance of a marriage license which fee shall be used to fund spouse abuse centers; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Scott—

SB 1258—A bill to be entitled An act relating to the business of rendering; creating s. 570.56, Florida Statutes; providing a short title; providing definitions; providing certain requirements for buying, handling, marking and transporting inedible raw materials; authorizing the Division of Inspection of the Department of Agriculture and Consumer Services to enforce the requirements; creating certain presumptions; providing for confiscation of certain property; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committees on Agriculture and Ways and Means.

By Senator Holloway—

SB 1259—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; creating s. 391.076, Florida Statutes; providing for membership, duties, responsibilities, and procedures of certain advisory bodies which relate to the children's medical services programs of the department; authorizing payment of per diem and traveling expenses of members of certain advisory bodies; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Vogt—

SB 1260—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending ss. 382.29, 382.35(7), 395.04(2)(b), 400.062(3), 400.467(2), 500.23(2), 556-031(2), Florida Statutes, and ss. 290.131, 390.014(3), 468.312, 482.071(1), 482.111(8), 514.033(3), Florida Statutes, 1978 Supplement; adding s. 403.863(7), Florida Statutes, and s. 468.1279(6), Florida Statutes, 1978 Supplement; requiring certain fees collected by the department to be deposited with the State Treasurer and used to defray expenses of administration; repealing s. 468.1281, Florida Statutes, relating to the disposition of fees collected by the department with respect to the fitting and selling of hearing aids; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senator Williamson—

SB 1261—A bill to be entitled An act relating to the regulation of bail bondsmen and runners; amending s. 648.25(6), Florida Statutes; allowing general lines agents to employ runners; adding s. 648.27(9), Florida Statutes, 1978 Supplement; providing a procedure for application for a general agent's permit; creating s. 648.301, Florida Statutes; requiring general agents to obtain a permit and pay a fee; amending s. 648.31(1), Florida Statutes; increasing certain license fees; amending s. 648.34(3), Florida Statutes; requiring the Department of Insurance to collect a fee from applicants to be bail bondsmen to cover the cost of a credit report; creating s. 648.351, Florida Statutes; exempting bail bondsmen, runners, or applicants for

licensure as bail bondsmen or runners from the provisions of chapter 112, Florida Statutes; amending s. 648.36(1), Florida Statutes; requiring bail bondsmen and general lines agents to maintain and keep open for inspection by the Commissioner of Insurance certain records for 3 years; adding s. 648.37(1)(e), Florida Statutes; providing certain qualification requirements for runners; amending s. 648.37(2), Florida Statutes; requiring a fee of \$15 to accompany an application to be a runner; creating s. 648.421, Florida Statutes; requiring licensees under chapter 648, Florida Statutes, to notify the Department of Insurance of any change of address; amending s. 648.44(1)(g), (3), Florida Statutes, and adding subsections (6) and (7) to said section; providing prohibitions for bail bondsmen and runners; creating s. 648.441, Florida Statutes; prohibiting furnishing supplies to unlicensed bail bondsmen; providing penalties; amending s. 648.45, Florida Statutes; requiring and authorizing the department to deny, suspend, or revoke licenses; creating s. 648.451, Florida Statutes; providing that licensed bail bondsmen and runners and general lines agents engaged in the bail bond business are subject to the Unfair Insurance Trade Practices Act; amending s. 648.46(1), Florida Statutes, 1978 Supplement; providing for immediate revocation of licenses upon conviction of a felony; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senator Anderson—

SB 1262—A bill to be entitled An act relating to loans; amending ss. 516.02, 516.031(1), 516.18(1), 516.21, 657.14, 659.18, 659.181, 687.02, 687.04, Florida Statutes, and ss. 520.08(1)(a), 656.17, 665.381(4), (5), 687.03(1), Florida Statutes, 1978 Supplement; increasing the maximum rate of interest on various loans; increasing allowable finance charges on certain motor vehicles; authorizing banks to make certain loans not in excess of a specified amount; authorizing certain additional charges; authorizing banks to make overdraft and credit card loans up to a specified amount; providing penalties; providing an exemption; repealing s. 687.11, Florida Statutes, relating to rates of interest charged persons secondarily liable on corporate obligations; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator Trask—

SB 1263—A bill to be entitled An act relating to environmental land and water management; amending s. 380.06(7), Florida Statutes, relating to developments of regional impact; providing requirements with respect to local government hearings on applications for development approval; amending s. 380.07(3), Florida Statutes, 1978 Supplement; providing requirements with respect to hearings on appeals to the Florida Land and Water Adjudicatory Commission; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Dunn—

SB 1264—A bill to be entitled An act relating to Volusia County; creating and incorporating a Special Tax District in Volusia County, Florida, to be known as the "Halifax Hospital Medical Center"; fixing and prescribing the boundaries of said district; providing for the governing and administration of the same; providing and defining the powers and purposes of said district and of the Board of Commissioners thereof; authorizing and empowering such Board to establish; contract, operate and maintain such hospital or hospitals as may be established and constructed by said Board in said district; authorizing and providing for the issuance and sale of bonds of said district; authorizing and providing for said Board to borrow money on the note or notes of said district; authorizing and providing for the levy and collection of taxation for the payment of the said bonds and the interest thereon, and for the payment of said notes and interest thereon; authorizing and providing generally the powers and duties of said Board; repealing the existing special tax district known as Halifax Hospital Medical Center; providing for the new Halifax Hospital Medical Center to succeed to all obligations, rights and lia-

bilities of the existing special tax district known as Halifax Hospital Medical Center; providing for a referendum.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Gordon, Frank and Peterson—

SB 1265—A bill to be entitled An act relating to the education of students aged 5 through 21 in state-operated residential facilities; redesignating s. 230.23(4)(n), (o), Florida Statutes, 1978 Supplement, and adding a new paragraph (n) to said subsection; assigning the responsibility for the provision of an appropriate program of instruction and special education services to students in residential facilities to the district school board of the county in which the residential facility is located; providing exceptions; providing for cooperative planning between the Department of Health and Rehabilitative Services and district school boards for facilities to house education programs; providing for the use of existing Department of Health and Rehabilitative Services education facilities; providing for capital outlay requests for additional facilities; providing for full and complete authority of each district school board in the matter of assignment and placement of students in educational programs; providing exceptions; providing certain due process rights to the parents or guardian of such students; providing for written agreement between district school boards and the agency responsible for state-operated residential facilities; amending s. 236.013(2)(c), Florida Statutes; including basic programs provided for students in such facilities in determining who is a full-time equivalent student; amending s. 230.602(1), Florida Statutes; excluding full-time equivalent students in such residential facilities from the computation of instruction units for bonds payable from motor vehicle license tax funds; amending ss. 402.22, Florida Statutes; broadening the legislative intent for provision of education services to students under the residential care of the Department of Health and Rehabilitative Services to include mental impairment and learning impairment; removing the requirement for provision of resources equal to those provided other education programs in the state system of public education for students aged 5 through 21 with similar maladjustments and disabilities; requiring the provision of an appropriate program of instruction and special education services to students aged 5 through 21 under the residential care of the Department of Health and Rehabilitative Services to be the responsibility of the district school board of the county in which the residential facility is located; removing the requirement for an annual education plan to be developed by agencies within the Department of Health and Rehabilitative Services; providing for support by the Department of Health and Rehabilitative Services of efforts on the part of the Department of Education and district school boards in providing education programs to students residing in residential facilities operated by the Department of Health and Rehabilitative Services; providing for earning of full-time equivalent student membership for students in state mental health facilities, Sunland Centers, Youth Services Training Schools, and other comparable facilities; providing for the assignment of nonexceptional students in Youth Services Training Schools and day program facilities to basic or other special programs as appropriately provided by district school board; providing for State Board of Education rules to assist in the orderly transfer of responsibility for education; providing an effective date.

—was read the first time by title and referred to the Committees on Education, Health and Rehabilitative Services and Ways and Means.

By Senator Hill—

SB 1266—A bill to be entitled An act relating to mortgage loans; requiring lending institutions to provide certain information to borrowers; requiring such institutions to offer borrowers the opportunity to pay certain charges in full prior to closing or settlement; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Senator MacKay—

SB 1267—A bill to be entitled An act relating to products liability actions; defining "products liability action"; pro-

hibiting the pleading of dollar amounts of unliquidated damages; providing for allocation of negligence; providing for the admission of evidence of collateral source benefits in certain circumstances; providing that the amount of punitive damages be set by the presiding judge; allowing installment payments of certain judgments in excess of \$50,000; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil and Commerce.

By Senator Jenne—

SB 1268—A bill to be entitled An act relating to international banking organizations' transactions; amending s. 659.67(1)(c), Florida Statutes, and adding paragraphs (e)-(h) to said subsection; providing definitions; creating ss. 199.074, 201.24, Florida Statutes; authorizing the Department of Revenue to adopt rules respecting international banking transactions for purposes of intangible property tax and excise tax; adding ss. 199.072(4), 201.23(4), Florida Statutes; exempting international banking transactions from intangible personal property tax and excise tax; creating s. 687.13, Florida Statutes; providing that certain interest rates shall not apply to loans to any person who is neither a citizen nor a resident of the United States; creating ss. 47.062, 48.184, Florida Statutes; providing for venue and service of process regarding actions involving international banking organizations; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senator Tobiasen—

SB 1269—A bill to be entitled An act relating to elevators; amending s. 399.01, Florida Statutes; defining "maintenance service contractor" and deleting the definition of "inspector"; amending s. 399.02(5)(b), (6), Florida Statutes, 1978 Supplement; requiring an applicant for a permit to construct or repair an elevator to submit with the application a notarized statement; providing that manufacturers, constructors, or contractors of certain types of elevators and conveyances be responsible for failure of the equipment or installation until the elevator has been issued a certificate by the Division of Hotels and Restaurants of the Department of Business Regulation; providing that the owner shall be responsible for the safe operation of the elevator after a certificate has been issued; creating s. 399.025, Florida Statutes; requiring maintenance service contracts for all elevators prior to issuance of a certificate; authorizing the division to establish by rule the provisions to be included in such contracts; establishing certain general requirements for such contracts; requiring registration, deposit of a surety bond for \$5 million, and filing of certain information with the division prior to a person's entering into a service maintenance contract; amending s. 399.03(10)(a), Florida Statutes; requiring damaged parts to be replaced in accordance with the provisions of the Elevator Safety Code; amending s. 399.05, Florida Statutes; requiring a permit and payment of permit fee prior to erecting, moving or repairing elevators; providing for a final inspection; prohibiting the operation or use of any new, altered, or moved elevator until a certificate has been issued by the division; providing for deposit of license fees in the Hotel and Restaurant Trust Fund, to be used for the administration and operation of the division; requiring that the division set the annual inspection fee not to exceed \$50; prohibiting use of a new, altered or moved elevator until a certificate is issued; amending s. 399.06, Florida Statutes; requiring service contractors to forward inspection reports to the division; authorizing such contractors to order discontinuance of the use of an elevator under certain conditions; amending s. 399.07(1), (5), Florida Statutes; requiring certificates to be issued by the division under certain conditions; amending s. 399.08, Florida Statutes; requiring elevators to be inspected by maintenance service contractors pursuant to the Elevator Safety Code; authorizing maintenance service contractors to order the discontinuance of the use of an elevator under certain conditions; requiring maintenance service contractors to certify elevator inspections to the division; deleting provision authorizing the substitution of a public liability insurance policy in lieu of inspection; amending s. 399.11(3), Florida Statutes; requiring all fines to be placed in the Hotel and Restaurant Trust Fund; repealing s. 399.04, Florida Statutes, as amended, relating to inspectors; repealing ss. 399.12, 399.13, Florida Statutes, relating to elevator inspection

by elevator dealers or insurance inspectors, and cooperative agreements by the division with municipalities or counties; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce; Economic, Community and Consumer Affairs; and Ways and Means.

By Senator Neal—

SB 1270—A bill to be entitled An act relating to business regulation; amending ss. 468.151, 468.153, 468.154, 468.155, 468.156, 468.158, 468.159, 559.55(5), (6), Florida Statutes, and s. 20.16(2), Florida Statutes, 1978 Supplement; abolishing the Division of General Regulation of the Department of Business Regulation; transferring authority for enforcement of part V of chapter 468, Florida Statutes, relating to electronic repair dealer registration, from the division to the Department of Professional and Occupational Regulation; transferring authority for enforcement of part V of chapter 559, Florida Statutes, relating to consumer collection practices, from the Division of General Regulation to the Division of Finance of the Department of Banking and Finance; reviving and readopting ss. 468.151, 468.153, 468.154, 468.155, 468.156, 468.158, 468.159, and 468.162, Florida Statutes, as amended, notwithstanding the provisions of the Regulatory Reform Act of 1976, as amended; providing a savings clause for pending appeals, providing a retroactive effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By Senator MacKay—

SB 1271—A bill to be entitled An act relating to corrections; amending s. 121.0515(2), Florida Statutes, 1978 Supplement; providing special risk retirement benefits for certain parole and probation officers employed by the Department of Corrections; directing the Department of Administration to raise the pay grades for certain correctional officers, correctional counselors, and parole and probation officers employed by the Department of Corrections; providing an appropriation; creating the Department of Corrections Prison Construction Contingency Trust Fund; providing for partial implementation of a work-hour formula for supervision of parolees and probationers in the Department of Corrections; requiring a report to the Legislature; providing an effective date.

—was read the first time by title and referred to Ways and Means Subcommittee E and the Committee on Ways and Means.

By Senator MacKay—

SB 1272—A bill to be entitled An act relating to health care services; amending ss. 154.302, 154.306, 154.308, 154.316, Florida Statutes; providing intent; limiting county liability for treatment of indigents in certain circumstances; prescribing procedures for certification of indigency; providing circumstances for treatment of a certified indigent patient at a regional referral hospital; adding s. 409.266(5), Florida Statutes, 1978 Supplement; prohibiting the Department of Health and Rehabilitative Services from limiting days of treatment under the medical assistance program under certain circumstances; requiring the department to study the Medicaid program and report thereon; creating the Medicaid Reform Trust Fund; amending s. 218.215(1), Florida Statutes; providing an allocation from the revenue sharing trust fund for counties to the Medicaid Reform Trust Fund; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services and Ways and Means.

By Senators Trask and Peterson—

SB 1273—A bill to be entitled An act relating to Citrus County; authorizing the county to adopt a comprehensive plan that need not comply with The Local Government Comprehensive Planning Act of 1975; requiring the county to adopt a plan in compliance with that act by a certain date; validating

certain actions of the Board of County Commissioners toward the adoption of a comprehensive plan; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 353 and CS for HB 189 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martinez—

HB 353—A bill to be entitled An act relating to the Florida Council on Criminal Justice; amending s. 23.152(3)(e) and (g), Florida Statutes, 1978 Supplement; changing the membership of the council; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By the Committee on Judiciary and Representative Davis—

CS for HB 189—A bill to be entitled An act relating to determination of paternity; amending s. 742.031, Florida Statutes, to provide that a court shall order the defendant to pay reasonable child support; repealing s. 742.041, Florida Statutes, which provides a specific schedule of monthly payments which a defendant may be ordered to pay for the support of a child of whom he is determined to be the father; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 592	HB 1141	HB 897	HB 946
HB 942	HB 1154	HB 1308	HB 766
HB 1196	HB 945	HB 555	HB 816
HB 1140	HB 1199	HB 817	HB 896
HB 594	HB 1137	HB 1138	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Nuckolls and Mann—

HB 592—A bill to be entitled An act relating to Lee County; amending section 2 of chapter 75-418, Laws of Florida, providing for the election of members of the Fort Myers Beach Library District Board in odd-numbered years; adjusting the terms of members elected in 1978 and 1980 accordingly; providing for a referendum.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Kirkwood and others—

HB 817—A bill to be entitled An act relating to the fire control districts of Orange County; amending section 10(4) of chapter 67-1821, Laws of Florida, as amended, removing the authority of the county to impose a charge against real estate in lieu of an ad valorem tax; requiring a tax levy in districts imposing a charge; amending sections 11(1) and 15 of Chapter 67-1821, Laws of Florida, as amended, to conform to the act; repealing section 2 of chapter 71-805, Laws of Florida, to abolish provisions requiring fire control districts to choose

whether to implement a millage rate or charge on property in the district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Myers and others—

HB 942—A bill to be entitled An act relating to Jupiter Inlet District, a special taxing district of Palm Beach County; amending section 26 of chapter 8910, Laws of Florida, 1921, as amended by chapter 16057, Laws of Florida, 1933, to reduce the tax rate authorized for the Jupiter Inlet District, for repair and maintenance of its works and general expenses, from 10 mills to 3 mills.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Myers and others—

HB 945—A bill to be entitled An act relating to Jupiter Inlet District, a special taxing district in Palm Beach County; to Amend Chapter 8910 of the Special Acts of Florida of 1921, as Amended, to Conform Said Acts with the Requirements of the United States Constitution with Respect to Qualifications for Voting and Holding the Office of Commissioner of Jupiter Inlet District, and to further Amend Chapter 8910 of the Special Acts of Florida of 1921, as Amended, to Conform Said Acts with the Constitution of the State of Florida Respecting the Filling of Vacancies in the Office of Commissioner By Appointment By the Governor; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Richmond and C. R. Smith—

HB 1138—A bill to be entitled An act relating to Pasco County; amending sections 1 and 2 of chapter 20053, Laws of Florida, 1939, to increase membership on the Board of Trustees of the Jackson Memorial Hospital from five to seven members; providing for staggering of terms; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Shackelford and Haben—

HB 1196—A bill to be entitled An Act relating to the Ellenton Fire Control District; amending Section 7 of Chapter 59-1539, Laws of Florida, as amended by Chapter 67-1692, Laws of Florida; increasing the total amount of money that the District may borrow from \$75,000 to \$150,000; granting power to the Board of Commissioners to mortgage the real and personal property of the District as security for such loans; providing that the District Commissioners shall not be personally liable for the repayment of such loans; providing for repayment out of special assessment receipts of the District; granting power to the Board of Commissioners to make purchases of equipment on an installment basis; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Shackelford and Haben—

HB 1199—A bill to be entitled An act relating to the Oneco-Tallevast Fire Control District; amending s. 4(1), chapter 57-1545, Laws of Florida, as amended; increasing the maximum assessments which may be levied against taxable real property in the district; amending s. 7, chapter 57-1545, Laws of Florida; authorizing the Board of Commissioners to borrow money for district purposes in an amount equal to three times the total assessments; limiting the individual or personal liability of commissioners for repayment of such a loan; amending s. 12, chap-

ter 57-1545, Laws of Florida, as amended; changing the fiscal year of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Myers and others—

HB 946—A bill to be entitled An act relating to Jupiter Inlet District; amending portions of chapter 8910, Laws of Florida, 1921, to provide for more equitable apportionment of the burden of tax support of the Jupiter Inlet District to those actually benefited, by reinclusion of a portion of Southern Martin County originally contained in the District; relieving residents thereof of the burden of tax support of the St. Lucie Inlet; Providing representation for residents of the District on the board of commissioners thereof; authorizing and providing for the levy and collection of taxes to support the activities of the District; providing for a referendum.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives C. R. Smith and Richmond—

HB 1140—A bill to be entitled An act relating to Pasco County; authorizing the Board of County Commissioners of Pasco County to construct or acquire a building or buildings for a new hospital on behalf of Pasco County; providing for those items to be included in the cost of construction; requiring the Board of Trustees of Jackson Memorial Hospital to deposit in certain funds moneys received from the operation of the hospital; authorizing the Board of Trustees to issue revenue bonds; providing for the pledging of hospital revenues as security for such bonds; declaring such bonds legal investments; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Richmond and C. R. Smith—

HB 1137—A bill to be entitled An act relating to Pasco County; providing for school system capital improvements; authorizing the District School Board of Pasco County to issue revenue bonds for the payment of the cost thereof; providing for the payment of the principal of and interest on such bonds from racetrack funds and jai alai fronton funds accruing annually to the county and distributable to the board; providing a repealer; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Ewing and others—

HB 766—A bill to be entitled An act relating to the South Venice Special Tax Road District, Sarasota County; amending sections 3, 4, 5, 7, 9, and 12 of Chapter 57-1839, Laws of Florida, as amended, relating to the date of electing, the term of office, and the budget and taxing powers of the trustees; removing the requirement of an election to determine the special tax, and the provision that the supervisor may be a trustee; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Mann—

HB 594—A bill to be entitled An act relating to Lee County; amending section 3 of Chapter 30930, Laws of Florida, 1955, as amended by Chapter 61-2401, Laws of Florida, relating to the Sanibel Island Fire Control District; empowering the board to borrow money to a certain limitation, to issue revenue anticipation certificates, and to pledge such liens and certificate

revenue to pay certificates; exempting the board from liability for repayment of loans; restricting the use of funds of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Mann—

HB 897—A bill to be entitled An act relating to Lee County; amending section 6(1) of chapter 76-410, Laws of Florida, relating to the Tice Fire Protection and Rescue Service District; providing a change in date for filing of protests to proposed assessments in the district; providing a change in date for hearing such protests; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Kirkwood and others—

HB 816—A bill to be entitled An act relating to Orange County; relating to taxation for establishment, operation, and maintenance of free library service within Orange County; granting the Board of County Commissioners of Orange County the authority to levy ad valorem taxes not exceeding 1 mill upon certain taxable property so long as the board of County Commissioners provides free library service to the citizens and residents of Orange County; disclaiming any limitation on the power of the Board of County Commissioners to contract with municipalities within Orange County for the provision of such free library service; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Richmond and C. R. Smith—

HB 1141—A bill to be entitled An act relating to Pasco County; amending section 1 of chapter 61-2644, Laws of Florida, authorizing the Board of County Commissioners of Pasco County and any other county board authorized or required to hold public hearings or special meetings to hold board meetings at various location in the county; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Shackelford and Haben—

HB 1308—A bill to be entitled An act relating to the West-side Fire Control District, Manatee County; amending section 5 of chapter 61-2445, Laws of Florida, and as amended by chapters 65-1898, 72-610, and 75-433, Laws of Florida; to provide for an increase in the maximum annual rates for special assessments for fire protection benefits on each parcel of taxable real property within said district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Mann—

HB 896—A bill to be entitled An act relating to Lee County; amending section 6, paragraph 1, of the Fort Myers Shores Fire Protection and Rescue Service District of Chapter 76-409, Laws of Florida; providing a change in date for filing of protests to proposed assessments in the district; providing a change in date for hearing such protests; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Myers and others—

HB 1154—A bill to be entitled An act relating to the Loxahatchee River Environmental Control District, Palm Beach and Martin Counties; amending Subsections (3) and (4) of Section 4 of Chapter 71-822, Laws of Florida, as amended, staggering the terms of board members so that board members will continue to serve terms of two (2) years, but with three (3) of the board members elected in even numbered years and two (2) of the board members in odd numbered years rather than having all five (5) board members elected in even numbered years; providing for district elections; and providing for an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative M. E. Hawkins—

HB 555—A bill to be entitled An act relating to Collier County; authorizing the Board of County Commissioners to designate agents of the Collier County Department of Animal Control as Animal Control Enforcement Officers; authorizing Animal Control Enforcement Officers to issue citations for violations of Collier County Ordinance 78-16 and amendments thereto; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Senate adjourned at 8:41 a.m. to convene at 8:30 a.m., Thursday, April 26, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 2:00 p.m.